

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF OKLAHOMA**

MIKE STEELE, et al.,)
)
Petitioner,)
)
v.) **Case No. CIV 23-124-RAW**
)
SHANNON SMITH, Sheriff,)
)
Respondent.)

OPINION AND ORDER

On April 14, 2023, ten pro se pretrial detainees at the Seminole County Jail filed this petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241¹ (Dkt. 1). The petitioners' names are Mike Steele, Jacob Sewell, Aubrey Cole, Jordon Alexander, Lee Xiong, Jeff Hope, Kevin Hand, Mark Hulbutta, Ger Xiong, and Shannon Smith. *Id.* Although parts of the petition are illegible, the petitioners apparently are alleging they are being denied full access to the federal courts. *Id.* at 6. They also complain that they are being denied exposure to natural sunlight, outdoor exercise, and fresh air. *Id.* For the reasons set forth below, the Court finds this action must be dismissed.

Section 2241 is a vehicle for challenging pretrial detention, *see Walck v. Edmondson*, 472 F.3d 1227, 1235 (10th Cir. 2007), or for attacking the execution of a sentence, *see Davis v. Roberts*, 425 F.3d 830, 833 (10th Cir. 2005). A § 2241 petition cannot be used to challenge the conditions of a prisoner’s confinement, such as access to the courts or access

¹ The Court advises that multiple petitioners are not permitted in a habeas action.

to sunlight, exercise, and air quality. Such issues must be raised in a civil rights complaint pursuant to 42 U.S.C. § 1983. Forms for filing a § 1983 complaint are available from the Court Clerk. Each prisoner must file a separate complaint.

The Court further finds that Petitioners have failed to make a “substantial showing of the denial of a constitutional right,” as required by 28 U.S.C. § 2253(c)(2). They also have not shown “at least, that jurists of reason would find it debatable whether the petition states a valid claim of the denial of a constitutional right and that jurists of reason would find it debatable whether [this] court was correct in its procedural ruling.” *Slack v. McDaniel*, 529 U.S. 473, 484 (2000). Therefore, a certificate of appealability cannot be issued.

ACCORDINGLY, Petitioners’ petition for a writ of habeas corpus pursuant to 42 U.S.C. § 2241 (Dkt. 1) is **DENIED**, and Petitioners are **DENIED** a certificate of appealability.

IT IS SO ORDERED this 18th day of April 2023.



RONALD A. WHITE
UNITED STATES DISTRICT JUDGE
EASTERN DISTRICT OF OKLAHOMA